



**MISSOURI DEPARTMENT OF SOCIAL SERVICES  
FAMILY SUPPORT DIVISION  
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# **FUNDING APPLICATION GUIDELINES**

For

## **HOMELESSNESS PREVENTION AND RAPID RE-HOUSING PROGRAM (HPRP)**

**Grantee Application Guidelines**

**REVISED 8/26/09**

# Homelessness Prevention and Rapid Re-Housing Program (HPRP) Guidelines

**Definitions:** For the purposes of this guidance, the following definitions apply:

- **Grantee:** County or county's designee that applies for and receives an HPRP allocation. The designee may be another unit of local government.
- **Subgrantee:** The non-profit, 501 (c), agency/organization, and/or other local unit of government including metropolitan cities or urban counties, that the grantee subcontracts with to provide direct services.
- **Unit of Local Government:** Any city, county, town, township, parish, village, or other general purpose political subdivision of the state.

## Additional Resources

For additional information and resources relating to HPRP see: <http://www.hudhre.info/HPRP> and <http://dss.mo.gov/arra>

## Program Overview

The Homelessness Prevention and Rapid Re-Housing Program (HPRP) is funded by the Homeless Prevention Fund (HPF) created under Title XII of Division A of the American Recovery and Reinvestment Act (Recovery Act or ARRA) of 2009. The Department of Social Services (DSS), Family Support Division (FSD) is a grantee of the U.S. Department of Housing and Urban Development (HUD) and will administer this award for eligible counties and cities.

The purpose of the HPRP is to provide homelessness prevention assistance to households who would otherwise become homeless - many due to the economic crisis - and to provide assistance to rapidly re-house persons who are experiencing homelessness. The funds under this program are intended to target individuals and families who would be homeless but for this assistance. The funds will provide for a variety of assistance, including: short-term or medium-term rental assistance and housing relocation and stabilization services, including such activities as mediation, credit counseling, security or utility deposits, utility payments, moving cost assistance, and case management.

### 1. Eligibility for Assistance – Who can receive support from the HPRP grant funds?

There are two populations facing housing instability that are eligible for assistance.

**1. Prevention Eligible Individuals and Households:** These people are currently in housing but are at risk of becoming homeless and need temporary rent or utility assistance to prevent them from becoming homeless (see A below).

**NOTE:** Cannot be used for mortgage assistance.

**2. Rapid Re-Housing Eligible Individuals and Households:** These people are experiencing homelessness (living in emergency shelter or on the street) and need temporary assistance in order to obtain housing and retain it (see B below).

## **A. Prevention Eligible Individuals and Households**

To be eligible individuals and households must meet both of the following circumstances: (1) no appropriate subsequent housing options have been identified; AND (2) the household lacks the financial resources and support networks needed to obtain immediate housing or remain in its existing housing. All individuals and households must meet eligibility guidelines. Each situation must be assessed to determine if the individual or household would be homeless "but for" receipt of HPRP funds. For example, an individual or household that has received an eviction notice may not qualify under HPRP homelessness prevention if that individual or household has family members willing to take them in. Likewise, receipt of a utility shutoff notice does not mean that family would be homeless unless city codes require active utilities. In this situation other options should be explored for utility assistance.

While Grantees/Subgrantees are allowed significant flexibility in determining basic program requirements over and beyond those specified in this guidance, a Grantee/Subgrantee must target prevention assistance to those individuals and households at the greatest risk of becoming homeless, and who would otherwise be homeless "but for" this assistance. DSS strongly encourages communities to consider the number of risk factors or a combination of risk factors in determining whether to target shallow subsidies (minimal services) versus more intensive services (higher subsidies) accordingly.

The following list represents examples of some commonly identified risk factors for homelessness from scholarly research and practical experience drawn from existing homelessness prevention programs. One way a grantee could use these factors would be to consider the first four criteria on this list as indicative of the most urgent need, and could require that a program participant meet one of these criteria in order to receive the most expensive benefit, "medium-term" rental assistance. Likewise, a grantee might require that a program participant have at least two or more of the risk factors to qualify for any assistance. Grantees should note, however, that this list is optional and not exhaustive. Grantees may consider other risk factors or other ways to target persons at risk of homelessness when developing local programs and requirements. Grantees may also consider the expected ability of the program participant to achieve stable housing, unsubsidized or subsidized, outside of HPRP. Some of the risk factors for homelessness for consideration by Grantees and Subgrantees in developing their programs are as follows:

- Young head of household (under 25 with children or pregnant);
- Eviction within 2 weeks from a private dwelling (including housing provided by family or friends);
- Discharge within 2 weeks from an institution in which the person has been a resident for more than 180 days (including prisons, mental health institutions, hospitals);
- Residency in housing that has been condemned by housing officials and is no longer meant for human habitation;
- Sudden and significant loss of income;
- Sudden and significant increase in utility costs;
- Mental health and substance abuse issues;

- Physical disabilities and other chronic health issues, including HIV/AIDS;
- Severe housing cost burden (greater than 50 percent of income for housing costs);
- Homeless in last 12 months;
- Current or past involvement with child welfare, including foster care;
- Pending foreclosure of rental housing;
- Extremely low income (less than 30 percent of Area Median Income);
- High overcrowding (the number of persons exceeds health and/or safety standards for the housing unit size);
- Past institutional care (prison, treatment facility, hospital);
- Recent traumatic life event, such as death of a spouse or primary care provider, or recent health crisis that prevented the household from meeting its financial responsibilities;
- Credit problems that preclude obtaining of housing; or
- Significant amount of medical debt.

## **B. Rapid Re-Housing Eligible Individuals and Households**

To be eligible individuals and households must meet both of the following circumstances: (1) no appropriate subsequent housing options have been identified; AND (2) the household lacks the financial resources and support networks needed to obtain immediate housing or remain in its existing housing.

Rapid re-housing assistance is available for persons who are homeless according to HUD's definition. Individuals and families who meet one of the following criteria, along with income eligibility requirements, are eligible under the rapid re-housing portion of HPRP:

- Sleeping in an emergency shelter;
- Sleeping in a place not meant for human habitation, such as cars, parks, abandoned buildings, streets/sidewalks;
- Staying in a hospital or other institution for up to 180 days but was sleeping in an emergency shelter or other place not meant for human habitation (cars, parks, streets, etc.) immediately prior to entry into the hospital or institution;
- Graduating from, or timing out of a transitional housing program; and
- Victims of domestic violence.

The purpose of HPRP rapid re-housing funds is to assist eligible program participants to quickly obtain and sustain stable housing. Therefore, organizations providing assistance should utilize a process to assess, for all potential program participants, their level of service need, other resources available to them, and the appropriateness of their participation in the rapid re-housing assistance portion of HPRP.

NOTE: Persons familiar with the Rapid Re-Housing Demonstration Program in the 2008 Continuum of Care competition should note that these funds are not subject to the same requirements as under that demonstration program.

## **2. Eligible Program Activities and Expenses – What can HPRP pay for?**

Prior to developing the State's Plan for HPRP the State met with individuals with expertise and involvement in homelessness and housing and drafted the following guiding principles for the effective use of HPRP resources to prevent and end homelessness:

1. Resources should be targeted to households with the highest likelihood of becoming homeless.
2. Programs should provide just enough assistance to prevent or end an episode of homelessness stretching resources as far as possible.
3. Distribution of funds should achieve maximum access for needy Missourians while minimizing administrative costs as much as possible.
4. Other federal, state and local funds, including other ARRA funds must be coordinated.
5. HPRP funds should supplement and compliment existing programs. Subgrantees should have the infrastructure, capacity and experience to distribute funds rapidly to Missourians with housing needs that have been caused by the down turn in the economy.

HPRP assistance is not intended to provide long-term support for program participants, nor will it be able to address all of the financial and supportive services needs of households that affect housing stability. Rather, assistance should be focused on housing stabilization, linking program participants to community resources and mainstream benefits, and helping them develop a plan for preventing future housing instability. Grantees should therefore ensure there is a clear process for determining the type, level, and duration of assistance for each program participant.

**There are four categories of eligible program activities and expenses, described in detail below:**

- A. Financial Assistance**
- B. Housing Relocation and Stabilization Services**
- C. Data Collection and Evaluation**
- D. Administrative costs**

These eligible activities are intentionally focused on housing: financial assistance to help pay for housing, or services designed to keep people in housing or to find housing. Generally, the intent of HPRP assistance is to rapidly transition program participants to stability, either through their own means or through public assistance, as appropriate.

In order for individuals or households to receive HPRP support, financial assistance or housing relocation and stabilization services, participants must have at least an initial consultation with a case manager or other authorized representative who can determine the appropriate type of assistance to meet their needs.

## **A. Financial Assistance**

Grantees/Subgrantees are responsible for verifying and documenting all payments made on behalf of the client whether it is rent, utilities, moving costs, hotel or motel payments, etc., in an easily identifiable manner which will be reviewed in entirety during grant monitoring by DSS.

Grantees/Subgrantees must reassess/recertify eligibility at least once every 3 months for all financial assistance.

Grantees/Subgrantees must not make payments directly to program participants, but only to third parties, such as landlords or utility companies. In addition, an assisted property may not be owned by the Grantee/Subgrantee, or the parent, subsidiary or affiliated organization of the Grantee/Subgrantee.

**There are several types of eligible Financial Assistance outlined below.**

- 1) Rental Assistance**
- 2) Security and Utility Deposits**
- 3) Utility Payments**
- 4) Moving Costs**
- 5) Hotel/Motel Vouchers**
- 6) Staff Costs to Issue Financial Assistance**
- 7) Inspections for Habitability**

### **1) Rental Assistance**

Tenant-based rental assistance can be for individuals and households to remain in their existing rental units (prevention) or to help them obtain and remain in rental units they select (rapid re-housing).

- A lease must be in place and the program participant must be named on the lease.
- Direct service providers must certify income eligibility at least once every three months.

The following rental assistance is available:

***Short-term rental assistance*** – Costs may not exceed rental costs accrued over a period of 1 to 3 months. After 3 months, if program participants receiving short-term rental assistance need additional financial assistance to remain housed, they must be evaluated for eligibility to receive up to 15 additional months of medium-term rental assistance, for a total of 18 months.

***Medium-term rental assistance*** – Costs may not exceed rental costs accrued over a period of 4 to 18 months. No program participant may receive more than 18 months of rental assistance.

***Amount of rental assistance*** – Grantees/Subgrantees determine the amount of short-term and medium-term rental assistance provided, such as "shallow subsidies" (payment of a portion of the rent), payment of 100 percent of the rent charged, or graduated/declining subsidies. Grantees/Subgrantees may also set a maximum amount of assistance that a single individual or family may receive from HPRP funds, or may set a maximum number of times that an individual or family may receive assistance, as long as the total amount of assistance that any individual or family receives does not exceed an amount equal to 18 months of rental assistance.

***Rental Arrears*** – Rental assistance may also be used to pay for up to 6 months of rental arrears for eligible program participants. Rental arrears may be paid if the payment enables the program participant to remain in the housing unit for which the arrears are being paid or move to another unit. If HPRP funds are used to pay rental arrears, arrears must be included in determining the total period of the program participant's rental assistance, which may not exceed 18 months.

### **Tenant Rent Share**

Grantees/Subgrantees may require program participants to share in the costs of rent, utilities, security and utility deposits, moving, hotel or motel, and other expenses as a condition of receiving HPRP financial assistance. For example, a program may require a program participant to pay a portion of the rent expense for a unit. HPRP assistance should be "needs-based," meaning that direct service providers should determine the amount of assistance based on the minimum amount needed to prevent the program participant from becoming homeless or returning to homelessness in the near term. This will also help communities to utilize program resources efficiently to serve as many households as possible.

### **Rent Reasonableness**

The rental assistance paid cannot exceed the actual rental cost, which must be in compliance with HUD's standard of "rent reasonableness." "Rent reasonableness" means that the total rent charged for a unit must be reasonable in relation to the rents being charged during the same time period for comparable units in the private unassisted market and must not be in excess of rents being charged by the owner during the same time period for comparable non-luxury unassisted units. To make this determination, the Grantee/Subgrantee should consider (a) the location, quality, size, type, and age of the unit; and (b) any amenities, housing services, maintenance and utilities to be provided by the owner. Comparable rents can be checked by using a market study, by reviewing comparable units advertised for rent, or with a note from the property owner verifying the comparability of charged rents to other units owned (for example, the landlord would document the rents paid in other units). For more information, see HUD's worksheet on rent reasonableness at:

[www.hud.gov/offices/cpd/affordablehousing/library/forms/rentreasonablechecklist.doc](http://www.hud.gov/offices/cpd/affordablehousing/library/forms/rentreasonablechecklist.doc)

## **Subsidy Programs**

Rental assistance payments cannot be made on behalf of eligible individuals or households for the same period of time and for the same cost types that are being provided through another federal, state or local housing subsidy program.

### **2) Security and Utility Deposits**

HPRP funds may be used to pay for security deposits, including utility deposits, for eligible program participants.

### **3) Utility Payments**

HPRP funds may be used for up to 18 months of utility payments, including up to 6 months of utility payments in arrears, for each program participant, provided that the program participant or a member of his/her household has an account in his/her name with a utility company or proof of responsibility to make utility payments, such as cancelled checks or receipts in his/her name from a utility company. Unless it can be documented that a family would specifically be homeless "but for" having the utility bill paid by HPRP, funding sources other than HPRP should be explored to assist with utilities. Simply having a utility shutoff notice does not mean a participant would become homeless unless, for example, city codes required that tenants have current utilities.

### **4) Moving Costs**

HPRP funds may be used for reasonable moving costs, such as truck rental, hiring a moving company, or short-term storage fees for a maximum of 3 months or until the program participant is in housing, whichever is shorter.

### **5) Hotel and Motel Vouchers**

HPRP funds may be used for reasonable and appropriate motel and hotel vouchers for up to 30 days if no appropriate shelter beds are available and subsequent rental housing has been identified but is not immediately available for move-in by the program participants.

### **6) Staff Costs to Issue Financial Assistance**

Examples of costs would be costs for eligibility determination, assessment, cutting a check and other similar payment processes.



## **7) Inspections for Habitability Standards**

Organizations providing rental assistance with HPRP funds will be required to conduct initial and any appropriate follow-up inspections of housing units into which a program participant will be moving. Units should be inspected on an annual basis and upon a change of tenancy. The minimum habitability standards are listed in Appendix A.

Complete records of inspections and follow-up actions must be maintained in client files.

Grantees/Subgrantee(s) must comply with the Missouri Residential Landlord-Tenant Law, <http://www.moga.mo.gov/statutes/C535.HTM>. Additional information can be found at <http://www.hud.gov/local/mo/renting/tenantrights.cfm>. A booklet explaining landlord-tenant law is available at the Missouri Attorney General's website (<http://ago.mo.gov/publications/landlordtenant.pdf>) as a resource for both landlords and tenants.

## **B. Housing Relocation and Stabilization Services**

HPRP funds may be used for services that assist program participants with housing stability and placement. These services are limited to the following eligible activities:

- 1) Case Management**
- 2) Outreach and Engagement**
- 3) Housing Search and Placement**
- 4) Legal Services**
- 5) Credit Repair**
- 6) Other Costs, as Approved by DSS**

Grantees/Subgrantees must reassess/recertify eligibility at least once every 3 months for all housing relocation and stabilization services.

### **1) Case Management**

HPRP case management funds may be used for activities for the arrangement, coordination, monitoring, and delivery of services related to meeting the housing needs of program participants and helping them obtain housing stability. Services and activities may include: counseling; developing, securing, and coordinating services; monitoring and evaluating program participant progress; assuring that program participants' rights are protected; and developing an individualized housing and service plan, including a path to permanent housing stability subsequent to HPRP financial assistance.

## **2) Outreach and Engagement**

HPRP funds may be used for services or assistance designed to publicize the availability of programs to make persons who are homeless or almost homeless aware of these and other available services and programs.

## **3) Housing Search and Placement**

HPRP housing search and placement funds may be used for services or activities designed to assist individuals or households in locating, obtaining, and retaining suitable housing. Services or activities may include: tenant counseling, assisting individuals and households to understand leases, securing utilities, making moving arrangements, representative payee services concerning rent and utilities, and mediation and outreach to property owners related to locating or retaining housing.

## **4) Legal Services**

HPRP funds may be used for legal services to help people stay in their homes, such as services or activities provided by a lawyer or other person(s) under the supervision of a lawyer to assist program participants with legal advice and representation in administrative or court proceedings related to tenant/landlord matters or housing issues. Legal services related to mortgages are not eligible.

## **5) Credit Repair**

HPRP funds may be used for services that are targeted to assist program participants with critical skills related to household budgeting, money management, accessing a free personal credit report, and resolving personal credit issues.

## **6) Other costs, as approved by DSS**

Consultation with Family Support Division staff prior to including "other" costs is required.

## **C. Data Collection and Evaluation**

### **1. General Guidelines**

Federal rules require each Grantee/Subgrantee to enter client data into a Homeless Management Information System (HMIS). If the Grantee/Subgrantee is not currently entering client data into an HMIS system, to receive funds Grantees/Subgrantees must have a specific implementation plan to begin entering client data into an HMIS no later than September 1, 2009 (except for Domestic Violence Shelters - see 2). DSS can help identify who is managing the HMIS in your county.

Eligible costs include data collection, entry and analysis and staffing associated with the operation of the HMIS, including training costs directly associated with the HPRP.

Program participants receiving HPRP assistance must be identified in the HMIS so that a count of clients served by the program includes only clients receiving housing or services funded by HPRP.

Each Grantee/Subgrantee must follow all state and federal laws governing HMIS, including collecting informed written consent from clients, not denying service based solely on client refusal to provide data to an HMIS, protecting client confidentiality, not collecting personally identifying information from clients that are victims of domestic violence, and other requirements defined in [VAWA Reauthorization Section 605](#) (Violence Against Women Act). See 2 below for special requirements relating to VAWA.

Grantees/Subgrantees must comply if asked to participate in HUD or DSS sponsored research and evaluation of HPRP and will be required to collect basic identifying information from people turned away from service as part of a research effort to measure program effectiveness. HPRP funds are eligible for costs to the grantee of participating in HUD or DSS research and evaluation of the program.

## **2. Special Guidance on HPRP Subgrantee Data Collection and Reporting for Violence Against Women Act (VAWA) Victim Service Providers**

The American Recovery and Reinvestment Act of 2009 (ARRA) states that Grantees receiving Homelessness Prevention and Rapid Re-Housing Program<sup>[1]</sup> (HPRP) grants “shall collect data on the use of funds awarded and persons served with this assistance in HUD’s Homeless Management Information System (HMIS) or other comparable database.” (ARRA, p. 107) HPRP Subgrantees (including organizations providing HPRP assistance under contract with a subgrantee) must also meet this requirement.

HUD has determined that *HPRP Subgrantees that are victim service providers as defined by the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Pub. L. 109-162) (VAWA) should NOT enter data directly in HMIS and must use a “comparable database.”* VAWA defines a victim service provider as a nonprofit or nongovernmental organization including rape crisis centers, battered women’s shelters, domestic violence transitional housing programs, and other programs whose primary mission is to provide services to victims of domestic violence, dating violence, sexual assault, or stalking.

### **Minimal Standards for a “Comparable Database”**

Victim service providers that receive HPRP funding must submit unduplicated aggregate reports about the individuals and families served with HPRP funds to the HPRP grantee<sup>[2]</sup>

on a quarterly basis or, if required by the grantee, on a more frequent basis. HPRP-funded providers must also have a mechanism to track the length of assistance provided to program beneficiaries to ensure that participants are recertified every 3 months if receiving medium-term rental assistance and that participants do not receive more than 18 months of HPRP assistance. Therefore, a victim service provider's comparable database must collect client-level data over time and generate unduplicated aggregate reports based on that data. It cannot be a database that only records aggregate information.

The comparable database must comply with all current HUD HMIS Data and Technical standards. As of June 2009, current applicable HMIS Data and Technical Standards include Section 1 (Introduction), Section 4 (privacy and security standards), and Section 5 (technical standards) from the 2004 HMIS Data and Technical Standards Final Notice (69 FR 146, July 30, 2004) and Section 2 (program descriptor data elements), Section 3 (universal data elements) and Section 4 (program-specific data elements) of the 2009 HMIS Data Standards. The HMIS standards also require organizations to comply with any federal, state, and local laws that require additional confidentiality protections, including but not limited to the Health Insurance Portability and Accountability Act of 1996 (45 CFR Parts 160 and 164), the Confidentiality of Alcohol and Drug Abuse Patient Records Rule (42 C.F.R. Part 2), and VAWA.

#### **Minimum Data Collection Requirements for Victim Service Providers**

Victim service providers are required to collect and record all data elements that are required for HPRP funded providers on all clients served with HPRP funds in a comparable database. The client-level data collection requirements for HPRP programs are specified in the 2009 Data Standards Notice. They include:

- all *universal data elements*, and
- a subset of the *program-specific data elements*.

In addition, all of the *program descriptor data elements* must be recorded about each HPRP program in the HMIS (either by the HPRP-funded provider or by the HMIS system administrator) and the fields needed to correctly generate the HPRP performance reports are required to be collected in the comparable database. A mailing address (e.g. P.O. Box) or administrative office address are acceptable in lieu of a shelter's physical address. The program descriptor data elements only need to be entered once for each program and are not repeated for each client; however, each HPRP client record will need to include the appropriate Program Identifier in order to correctly generate required reports.

The required data elements are summarized in the 2009 Data Standards, Exhibits 1-1, 1-2 and 1-3.

#### **Suppression of Potentially Identifying Data in HPRP Annual Performance Report (APR)**

Victim service providers may suppress aggregate data on specific client characteristics in the HPRP APR when the following two conditions are met:

1. the aggregate number of persons reported for a particular reporting field is less than either one percent of the total number of clients or five persons, whichever is greater, and
2. provider staff reasonably believe that the inclusion of such information may constitute a threat to a client by allowing a victim's stalker or abuser to identify the location of a client with an uncommon demographic profile.

For example, a victim service provider that serves only one Asian client in a jurisdiction with a small Asian subpopulation may report that client as having an unknown or unreported race.

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<sup>[1]</sup> This program is referred as the Homelessness Prevention Fund in the ARRA, but has subsequently been renamed the Homelessness Prevention and Rapid Re-housing Program.

<sup>[2]</sup> Or subgrantee, if providing services under contract with an HPRP subgrantee.

#### **D. Administrative Costs**

Administrative expenses are also sometimes called indirect or overhead. Administrative costs may include training for staff who will administer the program or case managers who will serve program participants, as long as this training is directly related to learning about HPRP.

Administrative costs do not include the costs of issuing financial assistance, providing housing relocation and stabilization services, or carrying out eligible data collection and evaluation activities, such as staff salaries, costs of conducting housing inspections, and other operating costs. These costs should be included under one of the three other eligible activity categories.

#### **4. Ineligible and Prohibited Activities**

- Mortgage costs or any homeowner costs needed to assist with any fees, taxes, or other costs of refinancing a mortgage to make it affordable\*\*
- Charging a program participant a fee for service
- Operation of emergency shelters
- Issuing funds directly to program participant
- Rental assistance exceeding 18 months
- Construction or rehabilitation
- Credit card bills or other consumer debt
- Car repair or other transportation costs
- Travel costs
- Food
- Medical or dental care and medicines
- Clothing and grooming
- Home furnishings

- Child care
- Pet care
- Entertainment activities
- Work or education related materials
- Cash assistance to program participants
- Employment training
- Discharge planning
- Certifications, licenses, and general training classes (training for case managers and program administrators is an eligible administrative cost as long as it is directly related to HPRP program operations)

**\*\*HPRP is not a mortgage assistance program. However, homeowners who become homeless are eligible for all HPRP activities; provided they meet the other eligibility criteria. Homeowners who are housed but are at risk of becoming homeless and meet all other eligibility criteria (consultation with a case manager, below 50% AMI, and at risk of becoming homeless with no housing options and lack financial resources) may be assisted with the following: utility payments (including arrears but excluding deposits) and housing relocation and stabilization services (including credit repair, case management, and housing search/placement but excluding legal services).**

## **5. Coordination with Recovery Act Resources and Other Resources**

Grantees must identify and document a community planning process to ensure critical collaboration and planning take place at the local level. This planning is necessary to prevent duplication and waste and to ensure that Subgrantees that can best provide eligible services are identified and funded.

Applicants may use the most appropriate method for planning which could be a Continuum of Care, or other existing planning process that includes a broad group of stakeholders. **United Way organizations may be helpful in organizing local stakeholders.**

Each grantee must at minimum coordinate with the local Continuum(s) of Care (CoC) providers to ensure that HPRP activities are aligned with the CoC's strategies for preventing and ending homelessness. Because persons who are homeless are eligible to receive assistance through HPRP, the impact of these funds will ultimately be reported by CoCs through required point-in-time counts and through other data collected by HUD. In addition, DSS strongly encourages Grantees to coordinate with other local organizations that are planning and carrying out activities related to homelessness prevention and rapid re-housing. Such organizations include Emergency Food and Shelter Grant Program (EFSGP) Boards, local agencies responsible for administering and implementing ten-year plans (and other plans) to end homelessness.

DSS also strongly encourages Grantees to ensure that program participants are enrolled in all applicable mainstream resources. Grantees/Subgrantees must carefully assess how HPRP funds can be used in conjunction with other funds from the Recovery Act to prevent homelessness and rapidly re-house homeless persons, and plan a coordinated approach to serving similar target populations. Grantees must coordinate at minimum with the Community Services Block Grant

(CSBG), Emergency Food and Shelter Grant Program (EFSGP), Continuum of Care (CoC), Emergency Shelter Grant (ESG), Low Income Home Energy Assistance Program (LIHEAP), Missouri Housing Trust Fund (MHTF) and Housing Choice Voucher (Section 8). A list of ARRA funded programs and suggestions for possible collaboration with HPRP was included with the Guidance for the "Letter of Intent to Apply". Services must be consistent with the following priorities identified in Missouri's 2008-2012 Consolidate Plan:

- Affordable housing for low-income families;
- Affordable housing for homeless families and families with other special needs;
- Affordable homeownership for low and moderate income families;
- Preservation of affordable housing for low-income persons and families, and
- Affordable housing for the elderly.

## **6. Income Eligibility and Income Verification**

**Reviews/Certification/Recertification:** Any individual or family provided with financial assistance through HPRP must have at least an initial consultation with a case manager or other authorized representative who can determine the appropriate type of assistance to meet their needs. Anyone receiving medium-term rental assistance must have their eligibility evaluated and certified at least once every three month. Communities should also have a process in place to refer persons ineligible for HPRP to other appropriate resources.

Each Grantee must keep adequate records for review by DSS or HUD during monitoring reviews. Each Subgrantee must keep adequate records for review by the grantee or DSS during monitoring reviews.

**Income Eligibility:** The individual or household must be at or below 50 percent of Area Median Income (AMI). Income limits are available on HUD's website at: <http://www.huduser.org/DATASETS/il.html>. Grantees/Subgrantees should use the Housing Choice Voucher program (formerly Section 8) specific guidelines to determine eligibility and document income. Guidance can be found on HUD's website at: <http://www.hud.gov/offices/pih/programs/hcv/forms/guidebook.cfm>.

**Income Verification:** All income must be verified and documented by the direct service provider (Grantee/Subgrantee). Verification of income eligibility may include pay stubs, tax statements, verification from employers, DSS/Employment Security/Social Security documents.

There are four acceptable methods of documenting Income Eligibility (in order of preference):

- 1) Written: The contractor gets third party written verification directly from the information source; i.e., employer, DSS, Employment Security, Social Security, Veteran's Affairs etc.
- 2) Oral: If verification is oral, the case manager must document the conversation in the program participant's file. This documentation should include the name, telephone number, and position or title of the third party, the date and time of the conversation, and the name of the person requesting the verification.

- 3) Documented: This type of verification is used when the information desired does not require verification by a third party, such as birth certificates or Social Security cards.
4. Self-Declared: Program participant written statements or affidavits are acceptable only when other verifications are not available. Since this method is self-serving, it should be viewed with caution and accepted only as a last resort.

## **7. Program Documentation**

### **A. Documentation and Verification needed for Homelessness Prevention Activities**

The Grantee/Subgrantee is required to maintain adequate and easily identifiable documentation to determine the eligibility of program participants served. A copy of the documentation for any Financial Assistance (as described under **Eligible Program Activities and Expenses – What can HPRP pay for?**) must also be maintained in the client file. At a minimum, documentation should include the following:

<b>Situation</b>	<b>Documentation</b>
Eviction	Eviction notice from landlord and copy of payment made on behalf of client.
Utility shut off	Notice of termination from the utility provider and copy of payment made on behalf of client.
Individual or family leaving shelter and needing any combination of first/last months rent, rent, security deposit, screening fee	Copy of payment(s) made on behalf of client.

### **B. Documentation and Verification needed for Homelessness or At Risk of Homelessness**

The Grantee/Subgrantee is required to maintain adequate documentation of homelessness to determine the eligibility of persons served. A copy of the documentation must be maintained in the client file. Documentation should be as follows:

<b>Situation</b>	<b>Documentation</b>
Persons living on the street or in short-term emergency shelter	Information should be obtained to indicate that the participant is living on the street or in short-term emergency shelter. This may include names of organizations or outreach workers who have assisted them in the past, whether the client receives any general assistance checks and where the checks are delivered, or any other information regarding the participant's activities in the recent past that might provide documentation. If unable to verify that the person is living on the street or in short-term emergency shelter, the participant or a staff person may prepare a short written statement about the participant's previous living place. The participant should sign the statement and date it.



Persons coming from transitional housing for homeless persons	Obtain written verification from the transitional housing staff that the participant has been residing at the transitional housing facility. The verification should be signed and dated by the referring agency personnel.
Persons being evicted from a private dwelling	Obtain evidence of formal eviction notice indicating that the participant was being evicted within a week before receiving homeless assistance.  If the participant's friends or family is evicting, a statement describing the reason for eviction must be signed by the friend or family member and dated. In other cases where there is no formal eviction process, persons are considered evicted when they are forced out of the dwelling unit by circumstances beyond their control. In those instances, obtain a signed and dated statement from the participant describing the situation. The case manager must make efforts to confirm that these circumstances are true and have written verification describing the efforts and attesting to their validity. The verification should be signed and dated.
Persons being released from jail or prison, or leaving an inpatient mental health facility, or chemical-dependency treatment facility, or a foster child aging out of care	Obtain evidence from the referring facility's case manager, Children's Division worker, or other authorized staff that the participant is being or was released/exited and has no identified housing option.
Persons fleeing domestic violence	Obtain written verification from the participant that he/she is fleeing a domestic violence situation. If a participant is unable to prepare verification, the case manager may prepare a written statement about the participant's previous living situation for the participant to sign and date.

## **8. Termination of Participation, Denial and Grievance Procedures**

### **A. Termination of Participation and Grievance Procedures**

Causes for termination from the program may include, but are not limited to, failure to abide by the program requirements. The Grantee/Subgrantee may resume assistance to a program participant whose assistance was previously terminated. In terminating assistance to a program participant, the Grantee/Subgrantee must provide a formal process that recognizes the rights of individuals receiving assistance to due process of law. This process, at a minimum, must consist of:

- 1) Written notice to the program participant containing a clear statement of the reasons for termination;
- 2) A review of the decision, in which the program participant is given the opportunity to present written or oral objections before a person other than the person (or a subordinate of that person) who made or approved the termination decision; and

- 3) Prompt written notice of the final decision to the program participant.

### **B. Grieving Levels of Service**

Because of the nature of HPRP and the requirement that each case be assessed individually with a minimum of services provided to prevent homelessness or to rapidly re-house an individual or family, participants will receive varying levels of service. This may sometimes be viewed as unequal or disparate treatment. The reasons supporting the level of service provided should be carefully documented in the participant's record. The Grantee/Subgrantee must have in place a procedure that governs these types of situations to resolve confusion/conflict. This procedure could be the same as the program's regular grievance procedure including requesting an administrative review or hearing.

### **C. Applicant Denial and Grievance Procedures**

Causes of denial of assistance include, but are not limited to, the individual or household's ineligibility or failure to provide verifiable evidence of eligibility, etc. Grantees/Subgrantee must have in place a procedure that governs applicant denial and a grievance process. These procedures should describe the requirements in which an applicant may not qualify or may be denied. This would include, for example, allowing applicants to request a hearing regarding their termination or their denial.

The termination, denial, and grievance procedures should be readily available to participants either in written information or by posting the policy in a public place. It is important to effectively communicate these procedures to program participants and ensure that the procedures are fully understood.

## **9. Nondiscrimination and Equal Opportunity Requirements**

The Grantee/Subgrantee must comply with all applicable fair housing and civil rights requirements in 24 CFR 5.105(a). In addition, Grantee/Subgrantee must make known that HPRP rental assistance and services are available to all on a nondiscriminatory basis and ensure that all citizens have equal access to information about HPRP and equal access to the financial assistance and services provided under this program. Among other things, this means that each Grantee/Subgrantee must take reasonable steps to ensure meaningful access to programs to persons with limited English proficiency (LEP), pursuant to Title VI of the Civil Rights Act of 1964. This may mean providing language assistance or ensuring that program information is available in the appropriate languages for the geographic area served by the jurisdiction and that limited English proficient persons have meaningful access to HPRP assistance. This will be a particular issue for Grantee/Subgrantee that may not be aware of LEP speaking populations in jurisdictions that are not normally served with Emergency Shelter Grant (ESG) funds. To assist Grantee/Subgrantee, the Department published the "Final Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons" (72 Federal Register 2732; January 22, 2007). In addition, all notices and communications shall be provided in a manner that is effective for

persons with hearing, visual, and other communication-related disabilities consistent with section 504 of the Rehabilitation Act of 1973 and implementing regulations at 24 CFR 8.6.

If the procedures that the Grantee/Subgrantee intends to use to make known the availability of the rental assistance and services are unlikely to reach persons of any particular race, color, religion, sex, age, national origin, familial status, or disability who may qualify for such rental assistance and services, the Grantee/Subgrantee must establish additional procedures that will ensure that such persons are made aware of the rental assistance and services.

## **10. Affirmatively Furthering Fair Housing**

Under section 808(e)(5) of the Fair Housing Act, HUD has a statutory duty to affirmatively further fair housing. HUD requires the same of its funding recipients. Grantees/Subgrantee(s) will have a duty to affirmatively further fair housing opportunities for classes protected under the Fair Housing Act. Protected classes include race, color, national origin, religion, sex, disability, and familial status. Examples of affirmatively furthering fair housing include: (1) marketing the program to all eligible persons, including persons with disabilities and persons with limited English proficiency; (2) making buildings and communications that facilitate applications and service delivery accessible to persons with disabilities (See, for example, HUD's rule on effective communications at 24 CFR 8.6); (3) providing fair housing counseling services or referrals to fair housing agencies; (4) informing participants of how to file a housing discrimination complaint, including providing the toll-free number for the Housing Discrimination Hotline: 1-800-669-9777; and (5) recruiting landlords and service providers in areas that expand housing choice to program participants.

## **11. Lead-Based Paint Requirements**

The Lead-Based Paint Poisoning Prevention Act (42 U.S.C. 4801 et seq.), as amended by the Residential Lead-Based Paint Hazard Reduction Act of 1992 (42 U.S.C. 4851 et seq.) and implementing regulations at 24 CFR part 35, subparts A, B, M, and R shall apply to housing occupied by households receiving assistance through HPRP.

Lead-based paint requirements should be considered when rental assistance and security deposits for families with a child under the age of six are provided. Initial "visual assessments" are required upon occupancy, and periodic inspections anytime occupancy changes. See regulations for further information.

## **12. Drug-Free Workplace Requirements**

The Drug-Free Workplace Act of 1988 (41 U.S.C. 701, et seq.) and HUD'S implementing regulations at 24 CFR part 21 apply to HPRP.

### **13. Equal Participation of Religious Organizations**

Organizations that are religious or faith-based are eligible, on the same basis as any other organization, to participate in HPRP. The federal government, State, or a Grantee/Subgrantee shall not discriminate against an organization on the basis of the organization's religious character or affiliation.

Organizations that are directly funded under HPRP may not engage in inherently religious activities, such as worship, religious instruction, or proselytization as part of the programs or services funded under HPRP. If an organization conducts such activities, the activities must be offered separately, in time or location, from the programs or services funded under HPRP, and participation must be voluntary for the program participants.

A religious organization that participates in HPRP will retain its independence from federal, state, and local governments, and may continue to carry out its mission, including the definition, practice, and expression of its religious beliefs, provided that it does not use direct HPRP funds to support any inherently religious activities, such as worship, religious instruction, or proselytization. Among other things, faith-based organizations may use space in their facilities to provide HPRP-funded services, without removing religious art, icons, scriptures, or other religious symbols. In addition, a HPRP-funded religious organization retains its authority over its internal governance, and it may retain religious terms in its organization's name, select its board members on a religious basis, and include religious references in its organization's mission statements and other governing documents.

An organization that participates in the HPRP program shall not, in providing program assistance, discriminate against a program participant or prospective program participant on the basis of religion or religious belief.

### **14. Lobbying and Disclosure Requirements**

The disclosure requirements and prohibitions of section 319 of the Department of the Interior and Related Agencies Appropriations Act for Fiscal Year 1990 (31 U.S.C. 1352) (the Byrd Amendment), and implementing regulations at 24 CFR part 87, apply to HPRP. Applicants must disclose, using Standard Form LLL (SF-LLL), "Disclosure of Lobbying Activities," any funds, other than federally appropriated funds, that will be or have been used to influence federal employees, members of Congress, or congressional staff regarding specific grants or contracts.

### **15. Confidentiality of Client Records**

Grantees/Subgrantee(s) must have policies and procedures ensuring client records are maintained in a confidential manner, and that the address or location of any assisted housing will not be made public, except to the extent that this prohibition contradicts a preexisting privacy policy of the Grantee/Subgrantee. To comply with this requirement, Grantee(s)/Subgrantee(s) should, for example, keep written records or files pertaining to clients under lock and key with designated personnel granted access to those files.

## **16. Conflict of Interest**

1. General. With respect to the use of HPRP funds to procure services, equipment, supplies or other property, states, territories and units of general local government that receive HPRP funds shall comply with 24 CFR 85.36(b)(3), and non-profit Subgrantees shall comply with 24 CFR 84.42. With respect to all other decisions involving the use of HPRP funds, the following restriction shall apply: No person who is an employee, agent, consultant, officer, or elected or appointed official of the grantee and who exercises or has exercised any functions or responsibilities with respect to assisted activities, or who is in a position to participate in a decision-making process or gain inside information with regard to such activities, may obtain a personal or financial interest or benefit from the activity, or have an interest in any contract, subcontract, or agreement with respect thereto, or the proceeds there under, either for himself or herself or for those with whom he or she has family or business ties, during his or her tenure or for one year thereafter.

2. Exceptions. Upon the written request of the grantee, HUD may grant an exception to the restrictions in paragraph 1 above on a case-by-case basis when it determines that the exception will serve to further the purposes of the HPRP program and promote the efficient use of HPRP funds. In requesting an exception, the grantee must provide the following:

- a. For states and other governmental entities, a disclosure of the nature of the conflict, accompanied by an assurance that there has been public disclosure of the conflict and a description of how the public disclosure was made; and
- b. For all Grantees, an opinion of the grantee's attorney that the interest for which the exception is sought would not violate state or local law.

## **17. Environmental Requirements**

This Notice does not direct, provide for assistance or loan and mortgage insurance for, or otherwise govern or regulate, real property acquisition, disposition, leasing (other than tenant-based rental assistance), rehabilitation, alteration, demolition, or new construction, or establish, revise or provide for standards for construction or construction materials, manufactured housing, or occupancy. Accordingly, under 24 CFR 50.19(c)(1), this Notice is categorically excluded from environmental review under the National Environmental Policy Act of 1969 (42 U.S.C. 4321). Moreover, consistent with the provisions for administrative and management expenses, tenant-based rental assistance, and supportive services in 24 CFR 50.19(b)(3), (11), and (12), the eligible activities to be assisted under this Notice are categorically excluded from the requirements of the National Environmental Policy Act of 1969 (42 U.S.C. 4321) and are not subject to environmental review under the related laws and authorities.

## **18. 2-1-1 Compliance**

Each Subgrantee must register with United Ways' 2-1-1 Missouri, or 2-1-1 Kansas City, whichever is appropriate by October 1, 2009. See <http://www.211missouri.org>.

## **19. Program Administration**

### **A. Grantee and Subgrantee Eligibility**

An eligible Grantee must be a "unit of local government" in the state (see definitions on page 2).

An eligible Subgrantee must be:

- 1.) A unit of local government in the state, or
- 2.) A private non-profit organization 501(c), if the local government for the locality in which the program is located certifies that it approves the program.

Organizations that are religious or faith-based are eligible, on the same basis as any other organization. However, organizations may not engage in inherently religious activities, such as worship, religious instruction or proselytization as part of the programs or services funded under HPRP. If an organization conducts such activities, the activities must be offered separately, in time or location, from the programs or services funded under HPRP, and participation must be voluntary for the program participants. An organization that participates in the HPRP program shall not, in providing program assistance, discriminate against a program participant or prospective program participant on the basis of religion or religious belief.

### **B. Central Contractor Registration and DUNS Number**

The Grantee and Subgrantee(s) are required to register with Duns and Bradstreet to obtain a DUNS number, if they have not already done so, and complete or renew their registration in the Central Contractor Registration (CCR). A DUNS number is required to register with CCR.

Duns and Bradstreet – [www.dnb.com](http://www.dnb.com)  
Central Contractor Registration - [www.ccr.gov](http://www.ccr.gov)

### **C. Grantee Responsibilities**

- 1) Establishment of contracts with all Subgrantees

A Grantee cannot subgrant work or services contemplated under this program without prior authorization from DSS. It is the responsibility of the Grantee to ensure that Subgrantee(s) meet all HPRP requirements. The intent to subcontract with specific Subgrantees shall be included in the Grantee's application to DSS. Approval of the Grantee's application, including the intent to subcontract, shall constitute authorization.

A Grantee with Subgrantee(s) must enter into legally binding written grant agreements to ensure that all DSS grant terms and conditions are passed on to

Subgrantee(s). This must include a signed contract that details the budget to be reimbursed and all of the DSS grant terms and conditions.

## 2) Deadlines for Using Grant Award

Each Grantee must draw down 60 percent of the award amount within the first two years of the date signed on the executed contract with DSS, and 100 percent of the award amount within three years of this date.

## 3) Monitoring and Compliance of Subgrantee(s)

It is the responsibility of the Grantee to monitor Subgrantee(s) at a minimum once every program year. The monitoring may consist of either a desk review and/or on-site visit. Terms and conditions of the grant and program guidelines need to be reviewed for compliance. At least one month of back-up documentation needs to be reviewed to substantiate charges made to the program.

The Grantee must review the accounting practices of Subgrantees that do not have an independent audit.

The Grantee must ensure all funds are expended in a timely manner, and according to the terms and conditions of the DSS grant.

DSS will review the Grantee's monitoring reports of their Subgrantees.

## 4) Recordkeeping

Each Grantee/Subgrantee must keep any records and make any reports (including those pertaining to race, ethnicity, and disability status date) that DSS or HUD may require within the timeframe required. All records should be kept for a minimum of five (5) years.

## **D. Billing Procedures**

Because of the nature and expectations of ARRA/HPRP, funding will be provided on an upfront basis as opposed to reimbursement to Grantees, who may in turn provide funding upfront to Subgrantee(s) pursuant to procedures outlined in 24 CFR 84.22 for non-profit organizations and 24 CFR 85.21 for units of government.

Anticipated invoicing/payment process is as follows:

- Grantees may request up to 25% of their allocation on each invoice.
- Grantees must submit monthly expenditure reports.
- Grantees may submit subsequent invoices when they have expended 80% of their previous invoice allocation.

- Each grantee must draw down 60 % of its HPRP grant funds within 2 years of the date of their signed grant agreement with DSS or risk reallocation of their funds for the third year.
- Each grantee must draw down 100% of funds within 3 years of this date. No funds may be drawn down after the 3-year expenditure deadline.

Payment will be made upon receipt of all required documents and reports. If required reports are not submitted in a timely manner, DSS will delay payment until the reports are received.

If the Grantee fails to file an invoice or monthly expenditure report in a timely manner, without a reasonable explanation, DSS will not authorize payment and may elect to terminate the contract.

#### **E. Financial Records and Recordkeeping**

The Grantee/Subgrantee must maintain copies of all reimbursement requests and back-up documentation including those from Subgrantees. The Grantee must maintain records that disclose all costs, including Subgrantee costs, charged to the DSS contract for a minimum of five (5) years.

#### **F. Reports**

The Grantee is responsible for submitting required reports by the dates due using required forms. The reports include, but are not limited to, the following:

<b>Report</b>	<b>Due Date</b>
Expenditure Report	Due on the 10 <sup>th</sup> of month following the provision of services.
Client Data Report	To be determined
Quarterly Performance Report	Fifth day of the month following the end of the reporting calendar quarter beginning January 5, 2010.

#### **G. Budget Amendments**

The approved budget will be identified in the contract documents. Budget revisions require a contract amendment. Requests must be submitted to, and approved by, DSS before the Grantee submits expenditure reports reflecting the revisions.

#### **H. Grantee Monitoring**

At a minimum, a Grantee can expect desk monitoring once a year. Grantees should set up a their own monitoring schedule of Subgrantees.



## **I. Changes to Guidelines**

DSS may issue revised or new guidelines at any time. All Grantees will be sent revised copies as they are published. It is the Grantee's responsibility to pass on the revisions to Subgrantees.

### **20. American Recovery and Reinvestment Act (ARRA) Additional Requirements**

#### **Program Reporting Requirements and Certification**

In accordance with the American Recovery and Reinvestment Act of 2009 (ARRA), §3, funds made available under ARRA should be used to preserve and create jobs and promote economic recovery; assist those most impacted by the recession; provide investment needed to increase economic efficiency by spurring technological advances in science and health; invest in transportation, environmental protection, and other infrastructure that will provide long-term economic benefits; and to stabilize State and local government budgets in order to minimize and avoid reductions in essential services and counterproductive state and local tax increases. ARRA funds should be managed and expended so as to achieve the purposes specified as quickly as possible consistent with prudent management.

Congress has specifically mandated that all ARRA recipients that receive funds directly from the federal government must report on the use of said funds for purposes of transparency and oversight. All funds issued under ARRA are subject to unparalleled scrutiny, with specific distribution and reporting requirements by the federal government and the State of Missouri.

ARRA funds are derived from a unique funding source and shall be tracked separately at all times. Accordingly, it is agreed and understood that by accepting ARRA funds through this contract that each Grantee assures that it and its Subgrantee(s) will fully comply with the requirements herein and any requirements hereafter issued by the federal government or the State of Missouri for compliance with ARRA and other related federal and state laws. Further, it is understood that this contract is subject to all applicable terms and conditions of ARRA. It is anticipated that future guidance on requirements for tracking and reporting expenditures of ARRA funds will be issued by the Director of the Office of Management and Budget (OMB) or other federal agencies. Each Grantee specifically assures that it and its Subgrantee(s) will comply with all such requirements as published at any time during the contract period in order to allow for the accountability of ARRA funds in a manner that ensures transparency and accountability in accordance with all program and ARRA requirements.

ARRA, §1512, referred to as the Jobs Accountability Act, sets forth certain reporting requirements that the State of Missouri must comply with and submit to the federal government no later than ten (10) days after the end of each calendar quarter beginning October 10, 2009. Accordingly, the Grantee assures that it and its Subgrantee(s), through the Grantee, shall submit the following information in a timely manner to the State of Missouri, Department of Social Services, no later than the **fifth** day of the month following each reporting calendar quarter, beginning on **January 5, 2010**:

- (1) The total amount of ARRA funds the recipient received from the State of Missouri;
- (2) The dollar amount of ARRA funds that were expended or obligated for each project or activity;
- (3) A detailed list of all projects or activities for which ARRA funds were expended or obligated, including:
  - the name of the project or activity;
  - a description of the project or activity;
  - an evaluation of the completion status of the project or activity;
  - an estimate of the number of jobs created and the number of jobs retained by the project or activity; and
  - for infrastructure investments, the purpose, total cost, and rationale for funding the infrastructure investment with funds made available under ARRA, and the name of the person to contact if there are concerns with the infrastructure investment.

A job created is a new position created and filled or an existing unfilled position that is filled as a result of the Recovery Act; a job retained is an existing position that would not have been continued to be filled were it not for Recovery Act funding. A job cannot be counted as both created and retained. Also, only compensated employment in the United States or outlying areas should be counted.

The estimate of the number of jobs required by the Recovery Act should be expressed as “full-time equivalents” (FTE), which is calculated as total hours worked in jobs created or retained divided by the number of hours in a full-time schedule, as defined by the recipient. The FTE estimates must be reported cumulatively each calendar quarter.

Recipients of grants, cooperative agreements, and loans must include in the aggregate number and their narrative description an estimate of jobs created and retained on projects and activities managed by their funding recipients. This clarification is a change from previous guidance, based on comments received on the Federal Register notice and stakeholder input.

Recipients should not attempt to report on the employment impact on materials suppliers and central service providers (so-called “indirect” jobs) or on the local community (“induced” jobs). Employees who are not directly charged to Recovery Act supported projects/activities, who, nonetheless, provide critical indirect support, e.g., clerical/administrative staff preparing reports, institutional review board staff members, departmental administrators, are **NOT** counted as jobs created/retained. Recipients report only direct jobs because they may not have sufficient insight or consistent methodologies for reporting indirect or induced jobs.

The narrative should include a brief description of the types of jobs created or retained. This description may rely on job titles, broader labor categories, or the recipient’s existing practice for describing jobs as long as the terms used are widely understood and describe the general nature of the work.

Recipients will report for all projects and activities or federally awarded contracts regardless of whether they are funded in whole or in part by the Recovery Act, but should report only on the jobs and funding attributable to an award under the Recovery Act.

The requirement for reporting jobs is based on a simple calculation used to avoid overstating the number of other than full-time, permanent jobs. This calculation converts part-time or temporary jobs into “full-time equivalent” (FTE) jobs. In order to perform the calculation, a recipient will need the total number of hours worked that are funded by the Recovery Act. The recipient will also need the number of hours in a full-time schedule for a quarter. The formula for reporting can be represented as:

$$\frac{\text{Cumulative Recovery Act Funded Hours Worked (Qrt...n)}}{\text{Cumulative Hours in Full-time Schedule (Qrt...n)}} = \text{FTE}$$

- (4) Detailed information on any subcontracts or subgrants awarded by the recipient to include the data elements required to comply with the Federal Funding Accountability and Transparency Act of 2006 (Public Law 109–282, hereafter referred to as the “Transparency Act”), allowing aggregate reporting on awards below \$25,000 or to individuals, as prescribed by the Director of the Office of Management and Budget; and
- (5) A 2008 amendment to the Transparency Act called the “Government Funding Transparency Act of 2008” (Public Law 110-252) added a requirement to collect compensation information on certain chief executive officers (CEOs) of the recipient (State of Missouri) and any Subgrantees . Accordingly, the State requests that the grantee assures that it and its Subgrantee(s) shall report required information under the Transparency Act, including, but not limited to:
- The name of the entity receiving the award;
  - The amount of the award;
  - The transaction type;
  - The funding agency;
  - The Catalog of Federal Domestic Assistance number;
  - The program source;
  - The location of the entity receiving the award, including two data elements for the city and Congressional district;
  - The location of the primary place of performance under the award, including two data elements the city and Congressional district;
  - A unique identifier of the entity receiving the award;
  - A unique identifier for the parent entity for the recipient, should the recipient be owned by another entity; and
  - The names and total compensation of the five most highly compensated officers of the company if it received: 1) 80% or more of its annual gross revenues in Federal awards; and 2) \$25M or more in annual gross revenue from Federal awards.

Standard data elements and federal instructions for use in complying with reporting requirements under §1512, ARRA, are pending review by the federal government, and were published in the Federal Register on April 1, 2009 [74 FR 14824], and are to be provided online at [www.FederalReporting.gov](http://www.FederalReporting.gov).

### **Buy American**

In accordance with ARRA, §1605, the Grantee assures that it and its Subgrantee(s) will not use ARRA funds for a project for the construction, alternation, maintenance, or repair of a public building or public work unless all of the iron, steel and manufactured goods used in the project are produced in the United States in a manner consistent with United States obligations under international agreements. The Grantee understands that this requirement may only be waived by the applicable federal agency in limited situations as set out in ARRA, §1605.

### **Wage Rate Requirements**

In accordance with ARRA, §1606, the Grantee assures that it and its Subgrantee(s) shall fully comply with said section in that notwithstanding any other provision of law and in a manner consistent with other provisions of ARRA, all laborers and mechanics employed by contractors and subcontractors on projects funded directly by or assisted in whole or in part by and through the federal government pursuant to ARRA shall be paid wages at rates not less than those prevailing on projects of a character similar in the locality as determined by the Secretary of Labor in accordance with subchapter IV of chapter 31 of title 40, United States Code (Davis-Bacon Act). It is understood that the Secretary of Labor has the authority and functions set forth in Reorganization Plan Numbered 14 or 1950 (64 Stat. 1267; 5 U.S.C. App.) and section 3145 of title 40, United States Code.

### **Whistleblower Protection**

In accordance with ARRA, §1553, the Grantee assures that it and its Subgrantee(s) shall fully comply with said section, including, but not limited to, assuring that its employees will not be discharged, demoted, or otherwise discriminated against as a reprisal for disclosing, including a disclosure made in the ordinary course of an employee's duties, to the federal government or any representative thereof, the State of Missouri, a person with supervisory authority over the employee (or such other person working for the employer who has the authority to investigate, discover, or terminate misconduct), a court or grand jury any information that the employee reasonably believes is evidence of: 1) gross mismanagement of a contract or grant relating to ARRA; 2) a gross waste of ARRA funds; 3) a substantial and specific danger to public health or safety related to the implementation or use of ARRA funds; 4) an abuse of authority related to the implementation or use of ARRA funds; or 5) a violation of law, rule, or regulation related to this contract (including the competition for or negotiation of a contract) or grant, awarded or issued relating to ARRA funds. In accordance with ARRA, §1553(e), the Grantee assures that it and its Subgrantee(s) shall post notice of the rights and remedies provided in ARRA, §1553.

### **Inspection of Documents**

In accordance with ARRA, §§902, 1514 and 1515, the Grantee assures that it and its Subgrantee(s) will cooperate with any representative of the State of Missouri, Comptroller General, or appropriate inspector general appointed under §3 or 8G of the Inspector General Act of 1978 (5 U.S.C. App.) in the examination of its records that pertain to, and involve transactions relating to this contract, and agrees that it and its personnel can be interviewed by said entities regarding this contract and related program.

### **Additional Restrictions of ARRA Funds**

In accordance with ARRA, §1602, the Grantee assures that it and its Subgrantee(s) will give preference to activities, funded by ARRA for infrastructure investment, that can be started and completed expeditiously, including a goal of using at least 50 percent of the funds for activities that can be initiated not later than 120 days after the enactment of ARRA and in a manner that will maximize job creation and economic benefit.

In accordance with ARRA, §1604, the Grantee assures that it and its Subgrantee(s) shall not use ARRA funds for any casino or other gambling establishment, aquarium, zoo, golf course or swimming pool.

In accordance with ARRA, §1554, Grantee assures to the maximum extent possible that it and its Subgrantee(s) will award contracts funded in whole or in part with ARRA funds as fixed-price contracts through the use of competitive procedures. It will also provide a summary to the State of Missouri, Department Social Services of any said contract awarded by the Grantee or its Subgrantee(s) that is not fixed-price and not awarded using competitive procedures for posting in a special section of the website established in ARRA, §1526.

In accordance with ARRA, §1609, the Grantee assures that it and its subgrantee(s) will comply with any applicable environmental impact requirements of the National Environmental Policy Act of 1970 (NEPA), as amended. (42 U.S.C. 4371, *et seq.*). The Grantee assures that it and its recipient(s) will submit information on the status and progress of those projects and activities using ARRA funds subject to NEPA pursuant to any requirements of the Council on Environmental Quality (CEQ) and OMB.

In accordance with ARRA, §1512(h), the Grantee assures that it and its Subgrantee(s) (first-tier) shall register in the Central Contractor Registration (CCR) database at [www.ccr.gov](http://www.ccr.gov), and maintain current registration at all time during the pendency of this contract. In order to register in CCR, a valid Dun and Bradstreet Data Universal Numbering System (DUNS) Number is required. See [www.dnb.com](http://www.dnb.com).

### **Employment of Unauthorized Aliens Prohibited**

Pursuant to §285.530.1, RSMo, the Grantee assures that it and its Subgrantee(s) do not knowingly employ, hire for employment, or continue to employ an unauthorized alien to perform work within the State of Missouri, and shall affirm, by sworn affidavit and provision of documentation, its enrollment and participation in a federal work authorization program with respect to the employees working in connection with the contracted services. Further, Grantee

and its subrecipient(s) shall sign an affidavit affirming that it does not knowingly employ any person who is an unauthorized alien in connection with the contracted services.

In accordance with sections 285.525 to 285.550, RSMo a general contractor or subcontractor of any tier shall not be liable when such contractor or subcontractor contracts with its direct subcontractor who violates subsection 1 of section 285.530, RSMo if the contract binding the contractor and subcontractor affirmatively states that the direct subcontractor is not knowingly in violation of subsection 1 of section 285.530, RSMo and shall not henceforth be in such violation and the contractor or subcontractor receives a sworn affidavit under the penalty of perjury attesting to the fact that the direct subcontractor's employees are lawfully present in the United States.

### **Enforceability**

If a Grantee or one of its Subgrantee(s) fails to comply with all applicable federal and state requirements governing these funds, the State of Missouri may withhold or suspend, in whole or in part, funds awarded under the program, or recover misspent funds following an audit. This provision is in addition to all other remedies provided to the State of Missouri for recovery of misspent funds available under all applicable state and federal laws.

### Habitability Standards

Organizations providing rental assistance with HPRP funds will be required to conduct initial and any appropriate follow-up inspections of housing units into which a program participant will be moving. Following are the habitability standards that Grantees/Subgrantees must follow:

- (1) State and local requirements. Each Grantee or Subgrantee under this Notice must ensure that housing occupied by a family or individual receiving HPRP assistance is in compliance with all applicable state and local housing codes, licensing requirements, and any other requirements in the jurisdiction in which the housing is located regarding the condition of the structure and the operation of the housing or services.
- (2) Habitability standards. Except for less stringent variations as are proposed by the Lead Agency or Subgrantee and approved by HUD, housing occupied by a family or individual receiving HPRP assistance must meet the following minimum requirements:
  - (a) Structure and materials. The structures must be structurally sound so as not to pose any threat to the health and safety of the occupants and so as to protect the residents from the elements.
  - (b) Access. The housing must be accessible and capable of being utilized without unauthorized use of other private properties. Structures must provide alternate means of egress in case of fire.
  - (c) Space and security. Each resident must be afforded adequate space and security for themselves and their belongings. Each resident must be provided an acceptable place to sleep.
  - (d) Interior air quality. Every room or space must be provided with natural or mechanical ventilation. Structures must be free of pollutants in the air at levels that threaten the health of residents.
  - (e) Water supply. The water supply must be free from contamination.
  - (f) Sanitary facilities. Residents must have access to sufficient sanitary facilities that are in proper operating condition, may be used in privacy, and are adequate for personal cleanliness and the disposal of human waste.
  - (g) Thermal environment. The housing must have adequate heating and/or cooling facilities in proper operating condition.
  - (h) Illumination and electricity. The housing must have adequate natural or artificial illumination to permit normal indoor activities and to support the health and safety of

**Appendix A (continued)**

residents. Sufficient electrical sources must be provided to permit use of essential electrical appliances while assuring safety from fire.

(i) Food preparation and refuse disposal. All food preparation areas must contain suitable space and equipment to store, prepare, and serve food in a sanitary manner.

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(j) Sanitary condition. The housing and any equipment must be maintained in sanitary condition.

(k) Fire safety.

- (1) Each unit must include at least one battery-operated or hard-wired smoke detector, in proper working condition, on each occupied level of the unit. Smoke detectors must be located, to the extent practicable, in a hallway adjacent to a bedroom. If the unit is occupied by hearing-impaired persons, smoke detectors must have an alarm system designed for hearing-impaired persons in each bedroom occupied by a hearing-impaired person.
- (2) The public areas of all housing must be equipped with a sufficient number, but not less than one for each area, of battery-operated or hard-wired smoke detectors. Public areas include, but are not limited to, laundry rooms, community rooms, day care centers, hallways, stairwells, and other common areas.